

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FRANCISCO SILVERIO HUERTERO-MORALES, on behalf of himself, FLSA
Collective Plaintiffs and the Class,

Plaintiff,

- against -

RAGUBOY CORP. d/b/a SUPPER,
KITCHEN TABLE, INC. d/b/a FRANK,
JUST AN OVEN CORP. d/b/a LIL
FRANKIE'S, and FRANK PRISINZANO,

Defendants

X

17-cv-02429 (JCF)

DECLARATION BY OLI BALASA

X

1. My name is Oli Balasa.

2. Since the end of last year, I have been the manager at Supper.

3. David Garcia is the Head Waiter at Supper. Because he has been there for many years and knows how the restaurant runs, he sometimes passes on messages from me to employees at the restaurant, and employees sometimes go to him with scheduling issues, which he takes to me. David works as a waiter and is paid as a waiter. He usually is assigned the back section of tables and always serves customers when he is working.

4. David does not have the authority to hire, fire or discipline any employees. David does not do the payroll or ordering for the restaurant. David also does not set the schedule for Supper.

5. I have told employees at Supper that they need to clock in and out and I have asked David to remind employees at Supper of that requirement.

6. To my knowledge, employees at Supper do not work at Lil' Frankies or Frank Restaurant.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 24, 2017

New York New York

A handwritten signature in black ink, appearing to read "Oli Balasa". The signature is fluid and cursive, with a long horizontal line extending from the end of the signature.

Oli Balasa